

PS Form 3811, July 1983 447-845

**SENDER: Complete items 1, 2, 3 and 4.**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

Paul A. Redmond, Pres. & C.E.O.  
Washington Water Power Company  
P.O. Box 3727  
Spokane, Washington 99220

**4. Type of Service:**

- ☐ Registered    ☐ Insured  
☒ Certified    ☐ COD  
☐ Express Mail

**Article Number**

P479554016

Always obtain signature of addressee or agent and  
**DATE DELIVERED.**

**5. Signature - Addressee**

X

**6. Signature - Agent**

X

**7. Date of Delivery**

2-24-86

**8. Addressee's Address (ONLY if requested and fee paid)**

DOMESTIC RETURN RECEIPT



Paul A. Redmond, President and CEO  
Washington Water Power Company  
P.O. Box 3727  
Spokane, WA 99220

*correct + enter*

Dear Mr. Redmond,

A. Recordkeeping

There was evidence of steady improvement from 1981 to 1985. For 1985, acceptable PCB Annual Reports were submitted. They appeared to satisfy CFR 40 Section 761.180 if they were an accurate representation of your total inventory. For 1982-1984, records appeared inadequate to indicate what measures had been taken to characterize all existing inventories, and/or determine if PCB contamination existed for your in-service equipment. For 1979-1981, it appears that a conclusion was made without a proper basis that PCBs did not exist in your system. In particular, adequate testing appeared lacking. EPA finds gas chromatography to be the minimum acceptable method for PCB analysis. The PCB regulations require use of such testing methods or

employment of certain "assumptions" about PCB content of equipment (see attachment). Little or no attempt appears to have been made to identify in-service equipment containing PCBs, or, absent testing, to use appropriate assumptions for purposes of recordkeeping and handling.

B. Sampling and Analysis

Characterization of your inventories for PCBs showed steady improvement from 1981–1985. However, for 1985, it appeared from your subpoena returns that there was inadequate sampling and analysis for potential PCB contamination in your in-service equipment. For 1982–1984, it appeared that inadequate sampling and analysis for PCB contamination of both in-service equipment and waste streams were conducted. EPA finds gas chromatography to be the minimum acceptable method to determine PCB content. The use of any total chlorine testing procedure is unacceptable for formal compliance purposes, and may only be used for in-house screening purposes or emergency response where an immediate assessment of the hazard is necessary. For 1979–1981, it appeared from your subpoena returns that little or no knowledge of PCBs in your system or waste stream existed.



1200 SIXTH AVENUE  
SEATTLE WASHINGTON 98101

FEB 21 1980

REPLY TO  
ATTN OF:

M/S 524

CERTIFIED MAIL

Paul A. Redmond, President and C.E.O.  
Washington Water Power Company  
P.O. Box 3727  
Spokane, Washington 99220

Re: EPA Subpoena, Cause # 1086-02-24-2610

Dear Mr. Redmond:

You have been served with the enclosed investigative subpoena issued by EPA.

EPA promulgated regulations for polychlorinated biphenyls (PCBs) on May 31, 1979. Since that time EPA has conducted routine inspections of electrical utilities pursuant to a neutral inspection scheme. EPA has found that the utility industry compliance rate has averaged less than 50 per cent. We are concerned because the electrical utility industry represents approximately 35 per cent of the PCBs presently in use.

As a result of our independent investigations of scrap and salvage operations and oil reclaiming facilities throughout EPA Region 10 (Alaska, Idaho, Oregon, and Washington), EPA has confirmed that electrical utilities, for a number of years, have sold substantial quantities of waste oils and electrical equipment to scrap and salvage operators. These oils and liquid-filled equipment items have contained various concentrations of PCBs. Significant PCB contamination problems have been identified at many recycling and disposal locations. We believe that considerable amounts of PCBs have already been released into the environment through various points along the disposal chain, including scrap and salvage operations.

The information gathered through this investigative subpoena will help EPA identify the potential location and magnitude of other releases. It will assist EPA in formulating an appropriate response in the interests of public safety.

This subpoena requires that records available, either to the Company or responsible employees of the Company, which come within the descriptions set out in the subpoena attachment, be brought with a responsible official of the company when he/she appears in person to give sworn testimony on the date stated in the subpoena.

We recognize that an inconvenience may be experienced by both the company and the responsible individual(s) if EPA must proceed by physically interviewing the respondents, and only then receiving records responsive to the subpoena. If you would prefer to respond to the subpoena by mail, rather than appearing for the oral interview, EPA offers the company and its responsible individual(s) a method of responding by written affidavit. Enclosed is a format for responding to this Subpoena Duces Tecum by mail (enclosure A).

The information requested in the Subpoena Attachment part one, "Annual Reports," should already be available in your PCB Annual Report as required by the PCB regulations. We have included a copy of the PCB regulations addressing Annual Reports, 40 CFR 761.180(a)(enclosure B). We have also included a sample format for such a report (enclosure C).

We wish to minimize the administrative burden placed on utilities and EPA in dealing with this subpoena and the information generated. We believe that substantial simplifications in the process can occur through dialog between each utility and EPA. Therefore, after you have examined this subpoena and assessed the condition of your records, we strongly recommend that you contact EPA (see below); if you do this prior to attempting a response, we may be able to reach an understanding which will significantly reduce the work involved in complying with the requirements of the subpoena. The principal EPA contact for this purpose is W. Douglas Smith, Senior Compliance Investigator for the Toxic Substances Branch, who may be contacted at (206) 442-7176. Specific legal issues should be directed to David Dabroski, Associate Regional Counsel at (206) 442-1476. We suggest that any issues inhibiting a prompt and thorough response to this subpoena be brought to the attention of Mr. Dabroski at least five working days in advance of the return date stated in the subpoena.

Sincerely,

*Gary O'Neal*

Gary O'Neal, Director  
Air and Toxics Division

P 479 554 016

RECEIPT FOR CERTIFIED MAIL  
NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL

Paul A. Redmond, Pres. & C.E.O.  
Washington Water Power Company  
P.O. Box 3727  
Spokane, Washington 99220

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	FEB 21 1986

\* U.S.G.

PS Form 3800, June 1985

### TELEPHONE CALL RECORD

DATE: 2/24/86 TIME IN: 0857 TIME OUT: 0915

## ROUTING

A) CALL FROM: \_\_\_\_\_

TITLE : \_\_\_\_\_

LOCATION AND  
PHONE NO. :

B) CALL TO : Fred Shirozaki

TITLE : \_\_\_\_\_

LOCATION AND  
PHONE NO. : (b) (6)

## CASE FILE

## ENFORCEMENT

SENSITIVE

### ACTION NEEDED

SUMMARY OF CALL:

Briefed Fred on Salperea - Read letter to him - He agreed it was way to go in its general terms because a small % of Utilities will need the hammer of formal proceedings to respond.

Bob said he expected his Bosses to be calling him at any moment to explain the "thing" to them.

Heard also felt it was "excellent" idea to include sample annual report.  
Hired said Congressman Foley's office called him and said it was <sup>(subpoena)</sup> coming.

Dong  
(SIGNATURE)

## TELEPHONE CALL RECORD

DATE: 3/6 TIME IN: 1030 TIME OUT: 10:50

ROUTING

A) CALL FROM: \_\_\_\_\_

TITLE : \_\_\_\_\_

LOCATION AND  
PHONE NO. :

B) CALL TO : Fred Shiroaki

TITLE :

LOCATION AND PHONE NO.	(b) (6)
---------------------------	---------

CASE FILE

## ENFORCEMENT

SENSITIVE

**ACTION NEEDED**

[illegible]

SUMMARY OF CALL:

will be 18th with all documents.

(SIGNATURE)



## Nash Water Power Co.

Complete in later years 82-86

Earlier years were missing assumption categories.



## TELEPHONE CALL RECORD

DATE: 2/12/87 TIME IN: \_\_\_\_\_ TIME OUT: \_\_\_\_\_

ROUTING

A) CALL FROM: \_\_\_\_\_

TITLE : \_\_\_\_\_

LOCATION AND  
PHONE NO. :

CASE FILE

## ENFORCEMENT

**SENSITIVE**

### ACTION NEEDED

B) CALL TO : Fred Shiozaki

TITLE : WWP

LOCATION AND PHONE NO. : (b) (6)

(b) (6)

[illegible]

SUMMARY OF CALL:

(SIGNATURE)